

Exhibit 7

Transcript of the Testimony of

JENNIFER TUSCANO

July 3, 2025

**STUDENTS FOR JUSTICE IN PALESTINE AT PITT VS
UNIVERSITY OF PITTSBURGH**



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JENNIFER TUSCANO - 7/3/2025

1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CIVIL ACTION NO. 2:25-CV-00524

STUDENTS FOR JUSTICE IN)
PALESTINE AT Pitt,)
)
)
Plaintiff,)
)
)
VS.)
)
)
UNIVERSITY OF PITTSBURGH; JOAN)
GABEL, MARLIN NABORS, KARIN)
ASHER, DaVAUGHN VINCENT-BRYAN,)
MATTHEW LANDY, and JAMEY MENTZER,)
all in their official and)
individual capacities,)
)
)
Defendants.)

DEPOSITION OF JENNIFER TUSCANO
VIA VIDEOCONFERENCE

DEPOSITION taken before me, Mary J. Carney, a Notary Public within and for the Commonwealth of Pennsylvania, via Zoom videoconference, beginning at 12:03 p.m. on July 3, 2025, pursuant to Notice and to be used pursuant to the Federal Rules of Civil Procedure in the aforesaid cause of action, pending in the United States District Court for the Western District of Pennsylvania.

JENNIFER TUSCANO - 7/3/2025

2

1 APPEARANCES

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27 Also Present:

28 J. Nicole Rhodes, Esquire
29 University of Pittsburgh

30 Emily Hoecker, Paralegal
31 ACLU of Pennsylvania

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33

JENNIFER TUSCANO - 7/3/2025

32

1 questions. So this document is a little bit
2 longer, sorry. If you could also read this
3 one over, that would be great. Thank you.

4 A. You can scroll, Kirsten. You can
5 scroll. You can scroll. You can scroll
6 for me. You can scroll. You can scroll.
7 You can scroll, Kirsten. You can scroll.

8 I've completed reading this page, too,
9 Solomon.

10 Q. Thank you, Jen.

11 A. Yep.

12 Q. Let's go back to your notes.

13 A. Okay.

14 Q. Which, Mary, I'm not sure if I
15 asked to mark this as Tuscano 2, but just
16 in case I hadn't.

17 The handwritten portion on the first page
18 in the top right, towards the bottom of
19 that handwritten portion I read something
20 that says, "Why is there a conduct
21 violation." Do you see that?

22 Kirsten, could you highlight that?

23 A. Yeah, oh, yep, gotcha.

24 Q. What did you mean when you wrote
25 that?

JENNIFER TUSCANO - 7/3/2025

33

1 A. That I didn't believe that the
2 complainant provided sufficient evidence or
3 information for me to determine whether a
4 conduct violation actually occurred.

5 Q. Who --

6 A. I'm sorry, say it again?

7 Q. I'm sorry, I think when I moved my
8 papers it might have clogged my mic. I
9 asked, who is the complainant?

10 A. David and DaVaughn.

11 Q. David Day? David's last name I
12 believe is Day; correct, D-A-Y?

13 A. I believe so.

14 Q. I believe we're talking about the
15 same person, I just want to make sure.

16 Give me one moment, please.

17 I believe we are talking about the same
18 person, but for now we'll just keep
19 referring to this individual as David.

20 A. Okay.

21 Q. David and DaVaughn were the
22 complainants, and were they representing
23 themselves as the complainants, they as
24 individuals were complainants or --

25 A. I don't know.

JENNIFER TUSCANO - 7/3/2025

37

1 Q. Were there differences between both
2 sides of the story?

3 A. Yes.

4 Q. What were those differences?

5 A. The event or lack thereof event and
6 the perception based on both sides, how
7 they viewed it.

8 Q. It's my understanding from your
9 notes that there wasn't clarity as to what
10 an event was; is that correct?

11 A. Correct.

12 MR. BILUS: Objection to form.

13 Go ahead.

14 Q. Is that correct?

15 A. Yes.

16 Q. Per your reading of your notes?

17 A. Yes.

18 Q. And is that what you recall from
19 your own recollection?

20 A. That is what I recall.

21 Q. Did SJP present arguments during
22 the hearing? Did it argue on its own behalf
23 that it didn't -- you know, anything, did
24 it argue on its own behalf with regard to
25 its own side of the story?

JENNIFER TUSCANO - 7/3/2025

38

1 A. Yes.

2 Q. Yes. Did it argue why it should
3 not be found responsible for the charges
4 against it?

5 A. Yes.

6 Q. Do you remember those arguments?

7 A. They believed that what occurred in
8 the library was not defined as an event or
9 that it violated library policy.

10 Q. Did SJP mention that they felt
11 targeted by Pitt?

12 A. Yes.

13 Q. Did they say that they felt
14 targeted based on their political views?

15 A. I don't remember.

16 Q. Did SJP ever mention an
17 organization called Betar USA?

18 A. I don't remember.

19 Q. Do you remember SJP bringing up
20 anything about a bomb threat against the
21 organization?

22 A. I don't remember.

23 Q. Okay. Did SJP argue that Pitt was
24 overly surveilling them?

25 A. Yes.

JENNIFER TUSCANO - 7/3/2025

39

1 Q. Did SJP argue that the policies
2 were perhaps inconsistent as applied to
3 them?

4 A. Yes.

5 Q. Did SJP argue that the policies
6 were vague or perhaps hard to understand?

7 A. I don't remember.

8 Q. Did SJP argue that the hearing and
9 charges set a dangerous precedent for free
10 speech?

11 A. Yes.

12 Q. Did SJP ask you to find them not
13 responsible for the charges?

14 A. Yes.

15 Q. Did they ask you to dismiss the
16 charges?

17 A. I don't remember.

18 Q. Were there any instructions to SJP
19 after the hearing from the University? Do
20 you recall any instructions to SJP after
21 the hearing?

22 A. I don't recall.

23 Q. You don't recall. I suppose I know
24 the answer here. I initially asked from
25 Pitt, but did the panel give them any

JENNIFER TUSCANO - 7/3/2025

42

1 Q. Did the panel ever get a chance to
2 meet?

3 A. Yes.

4 Q. When did the panel meet?

5 A. Immediately following the hearing.

6 Q. Like ten minutes following the
7 hearing or --

8 A. Immediately following the hearing.

9 Q. Less than ten minutes following?

10 Okay.

11 A. Yeah, from what I can remember.

12 Q. Okay. What was that meeting like?

13 A. The panelists discussed the
14 hearing.

15 Q. Was there consensus early on?

16 MR. BILUS: Objection to the
17 form.

18 Q. Did the panel, did the panelists
19 ever reach consensus as to rationale or
20 conclusion?

21 A. I don't believe we reached full
22 consensus.

23 Q. It sounds like you believe there
24 may have been a partial consensus?

25 A. I don't believe we completed our

JENNIFER TUSCANO - 7/3/2025

43

1 process before being notified to end our
2 process with the hearing.

3 Q. During the discussions immediately
4 following that February 4 hearing, what was
5 your impression of the hearing?

6 A. Can you repeat that first part,
7 Solomon?

8 Q. During that immediate conversation
9 following the hearing, what was your
10 impression of the hearing? How did you
11 express your thoughts about SJP's
12 disciplinary hearing?

13 A. My initial thoughts were that the
14 complainants did not adequately provide
15 information or evidence related to a
16 library policy violation.

17 Q. Had you been the only panelist, you
18 were the czar of the panel, you could have
19 decided right then and there in that
20 immediate moment, would you have found SJP
21 responsible?

22 MR. BILUS: Object to the form.

23 Q. Please answer the question.

24 A. Can you repeat it for me, Solomon?

25 Q. In the immediate aftermath, had you

JENNIFER TUSCANO - 7/3/2025

44

1 been the sole panelist, would you have --
2 how would you have found for SJP,
3 responsible or not responsible, with
4 regards to the allegations?

5 MR. BILUS: Object to the form.

6 Q. Please answer.

7 A. I can still answer?

8 Q. Yes.

9 A. I wouldn't -- I wouldn't say in the
10 immediate, Solomon, without reviewing my
11 notes post. But if I were the only
12 panelist, I do believe I would have found
13 SJP not responsible for a policy violation.

14 Q. Kirsten, could we look at the
15 recommendation form.

16 Jen, do you recognize this document?

17 A. Yes.

18 Q. Kirsten, could you quickly, not too
19 quickly, but with some pace scroll through
20 this document again just to show Jen that
21 this is the document she read not too long
22 ago.

23 And I'm sorry, Jen, I don't know that I
24 caught your pronouns at the beginning of
25 this. Do you use she/her pronouns?

JENNIFER TUSCANO - 7/3/2025

45

1 A. I do.

2 Q. Excellent, thank you. Just, you
3 understand this is the document you read
4 not too long ago, Jen?

5 A. Yes.

6 Q. Excellent, thank you.

7 Kirsten, you can go back to the top of
8 the
9 document. You said you recognize this
10 document?

11 A. Yes.

12 Q. What is this document?

13 A. A Conduct Board Recommendation
14 Form.

15 Q. When's the first time you saw this
16 document? Do you recall seeing this
17 document before today?

18 A. I do.

19 Q. Do you remember when that was?

20 A. On a Zoom with the other panelists.

21 Q. Do you know who made this document?

22 A. One of the other panelists.

23 Q. Do you recall which one?

24 A. Zach Davis.

25 Q. Zach Davis. Is Zach Davis -- do

JENNIFER TUSCANO - 7/3/2025

46

1 you know who the author is of this, of the
2 -- not the form aspect of the form, but the
3 entry, the entries as it were, do you know
4 who authored that?

5 A. Do you mean the content?

6 Q. That's the word I'm looking for.

7 Thank you.

8 A. Zach Davis.

9 Q. Zach. Did Zach get your input
10 while authoring this?

11 A. Yes.

12 Q. How many panelists were there
13 during the February 4 hearing?

14 A. Three including myself.

15 Q. So it was you, Zach, and then who
16 was the third?

17 A. Carlton Scott.

18 Q. Carlton Scott. Two first names.
19 Did Carlton also have a hand in drafting
20 this?

21 A. Yes.

22 Q. This document seems to be, seems to
23 be pretty far along in the drafting
24 process. Where would you say this document
25 is in the drafting process?

JENNIFER TUSCANO - 7/3/2025

47

1 MR. BILUS: Object to the form.

2 Q. Could you say? Could you say where
3 this document is in the drafting process?

4 A. Pretty far along.

5 Q. That's a good answer. Okay, so
6 just to recap, Zach was the one who was
7 actually typing into the document; correct?

8 A. That is correct.

9 Q. As he was typing into the document,
10 though, you and Carlton were weighing in;
11 is that correct?

12 A. That is correct.

13 Q. During that drafting process, was
14 it difficult to come to final language?
15 Well, was it difficult to come to the
16 language that ultimately we're reading
17 today?

18 MR. BILUS: Object to the form.

19 A. No.

20 Q. Sandy said, "Object to the form,"
21 but, Jen, you just said, "No"; is that
22 correct?

23 A. Correct.

24 Q. Thank you. Did the group discuss a
25 recommended outcome?

JENNIFER TUSCANO - 7/3/2025

48

1 A. Yes.

2 Q. And all of this, the conversation,
3 the drafting, and the discussion of the
4 recommended outcome, that was all in the
5 immediate Zoom call after the February 4
6 hearing? Or excuse me. Was that all in
7 the immediate call after the February 4
8 hearing?

9 A. Yes.

10 Q. You said you discussed a
11 recommended outcome. What was that
12 discussion like?

13 A. Discussion revolved around whether
14 there was an actual library policy
15 violation. We discussed.

16 Q. And --

17 A. But did not finalize or generate a
18 recommendation from the panel. We didn't
19 get to a conclusion from the panel.

20 Q. You didn't get to a conclusion from
21 the panel. What was your view during that
22 discussion? Excuse me. What was your view
23 during that discussion?

24 A. Can you clarify?

25 Q. What was your view during that

JENNIFER TUSCANO - 7/3/2025

53

1 you say that that's probable?

2 A. Yes.

3 Q. Excellent. Do you recall what a
4 meeting on the 5th would have been about?
5 Excuse me. Please let me rephrase that
6 question. Do you recall any specifics
7 about what a meeting on February 5 with the
8 panelists, what the contents of that
9 meeting would have been, what you would
10 have discussed with them?

11 A. Yes.

12 Q. Will you please describe it?

13 A. Continued work on the conduct form
14 draft.

15 Q. So the document that we marked as
16 3, the recommendation form, that is the
17 work of you, Zach, and Carlton in your
18 meetings immediately after the February 4
19 panel and then on a meeting that took place
20 on February 5; is that correct?

21 A. Yes.

22 Q. Excellent, thank you. And thank
23 you for going along with me with that
24 email.

25 Kirsten, could you please present the Open

JENNIFER TUSCANO - 7/3/2025

57

1 Jen, before you answer that question,
2 Kirsten, could you please pull up document
3 No. 6, which will remain document No. 6.

4 For you, Sandy, once I find it, it is
5 UPITT 2439.

6 And, Mary, could we please mark this as
7 Tuscano 6. Thank you. Jen, could you take
8 a moment and read over
9 this document, please?

10 A. Yes. You can scroll, Kirsten,
11 please. You can scroll, please.

12 Q. That's the document. Thank you,
13 Kirsten.

14 We'll stay on this document for now. But
15 talking about the Open Letter, did you get
16 a chance to speak with panelists about the
17 Open Letter before a University Dean or
18 someone from the administration reached out
19 to you about it?

20 A. Yes.

21 Q. What was that conversation like?

22 A. Acknowledgment that we received it.

23 Q. Acknowledged it. Was there any
24 other kind of group reaction with regards
25 to the Open Letter?

JENNIFER TUSCANO - 7/3/2025

58

1 A. No.

2 Q. Did the Open Letter influence at
3 all how you thought about the February 4
4 hearing?

5 A. No.

6 Q. Do you recall whether the letter,
7 whether Zach had any sort of strong, or had
8 any reaction, excuse me, at all, to the
9 Open Letter?

10 A. I don't recall.

11 Q. Do you recall if Carlton had any
12 reaction to the Open Letter?

13 A. I don't recall.

14 Q. You just read over Tuscano 6. Am I
15 saying your last name correctly, Tuscano?

16 A. Tuscano, "can" instead of "cahn".

17 Q. Thank you. It's not fun to hear
18 your name mispronounced the entire way, the
19 entire time. Tuscano, thank you. Tuscano 6
20 -- I'm working on it -- you just read over
21 it. Have you seen this document before?

22 A. No.

23 Q. No. Do you know what it is,
24 though, from reading it?

25 A. From the parts where it has my name

JENNIFER TUSCANO - 7/3/2025

59

1 indicated, I recall those questions being
2 asked of me in a phone call by Marlin
3 Nabors.

4 Q. Okay. These are notes from Marlin
5 Nabors in conversations that he had with
6 you and conversations that he had with Zach
7 and Carlton. The portions that are of
8 course yours, are they correct and accurate
9 to the best of your recollection?

10 A. Yes, to the best of my
11 recollection.

12 MR. BILUS: Object to the form.
13 Go ahead.

14 A. Yes.

15 Q. From what you've read, is the
16 content, does the content reflect the
17 conversations you had with Zach?

18 A. Yes.

19 Q. Does the content reflect what the
20 conversations you had with Carlton?

21 A. Yes.

22 Q. Excellent.

23 Kirsten, could you please go back to
24 the

25 Open Letter. Kirsten, I'm sorry, let's go

JENNIFER TUSCANO - 7/3/2025

66

1 Q. Excellent. And the letter had no
2 bearing on your thoughts as to the February
3 4 panel; is that correct?

4 MR. BILUS: Object to the form.

5 A. That is correct.

6 Q. You stated earlier that it hadn't
7 -- that it didn't change your views on the
8 February 4 panel; is that correct?

9 A. Yes.

10 Q. Do you recall it changing the views
11 of either of the other panelists, Carlton
12 or Zach?

13 A. No.

14 Q. Right after the February 4 panel
15 proceedings, you and the other panelists
16 you said met together to begin writing in
17 the recommendation form document that we
18 saw earlier; is that correct?

19 A. Yes.

20 Q. Was that meeting over Zoom?

21 A. Yes.

22 Q. And were all three of you writing
23 in the document at the same time?

24 A. No.

25 Q. Was the document, it was over Zoom,

JENNIFER TUSCANO - 7/3/2025

71

1 MR. BILUS: Are you asking what
2 they said during the February 5 call or
3 meeting that they had or --

5 MR. BILUS: Or what they
6 thought?

7 Q. I'm asking what they -- I'm asking
8 what they said. I think that's a little
9 bit of semantics, but I'm asking what, what
10 they represented, what they -- I assume
11 what they said was what they thought, which
12 is why I think it's a little bit of
13 semantics there, but I'll rephrase the
14 question. Did the panelists say that the
15 Open Letter, the other two panelists, did
16 they say that the Open Letter had no -- it
17 didn't change their view with regards to
18 the February 4 hearing?

19 A. Correct, yes.

20 Q. Okay, excellent. Did any of the
21 panelists suggest pausing deliberations
22 because of the Open Letter?

23 A. No.

24 Q. Do you think that the process
25 should have been paused because of the Open

JENNIFER TUSCANO - 7/3/2025

72

1 Letter?

2 A. No.

3 Q. Do you recall whether Zach or
4 Carlton thought that the process should
5 have been paused because of the Open
6 Letter?

7 A. I don't recall.

8 Q. When Nabors emailed you on the 6th
9 asking you and Scott and Zach to pause
10 deliberations, was that the first time a
11 pause came up?

12 A. Yes.

13 Q. Did you work on it at all after --
14 excuse me -- did you work on the
15 recommendations, on that recommendation
16 form at all after receiving that email from
17 Nabors?

18 A. No.

19 Q. So that means starting on February
20 6, you stopped working on that
21 recommendation form; is that correct?

22 A. Yes.

23 Q. Kirsten, could you please pull up
24 the late February email. And could you
25 also tell us what Bates number that is?